

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ROBERT O'SHEA, CHAIRMAN OF THE)
WARD 6 DEMOCRATIC COMMITTEE, ET)
AL.,)
Plaintiffs,)
v.) Civil Action No. 1:22-cv-12048-PBS
BOSTON CITY COUNCIL,)
Defendant.)

)

RULE 16 JOINT STATEMENT

Pursuant to Local Rule 16.1 and Federal Rules of Civil Procedure 16(b) and 26(f), undersigned counsel for Defendant the Boston City Council and Plaintiffs Robert O'Shea, Rita Dixon, Shirley Shillingford, Maureen Feeney, Phyllis Corbitt, the South Boston Citizens Association, Martin F. McDonough American Legion Post, St. Vincent's Lower End Neighborhood Association, and Old Colony Tenant Association (collectively, the "Parties"), hereby submit this Joint Statement concerning case schedule and discovery. Prior to submitting this Statement, the Parties conducted a Rule 26(f) conference on January 20, 2023. Pursuant to the Court's January 19, 2023 order, the Parties have agreed on the following proposed case scheduling and discovery plan:

1. **Hearing on Preliminary Injunction.** The parties request a hearing on the Plaintiffs' Motion for Preliminary Injunction be held as scheduled on March 14, 2023.
2. **Initial Disclosures.** Initial disclosures required by Fed. R. Civ. P. 26(a)(1) must be completed by June 1, 2023.
3. **Discovery Schedule.** The Parties' proposed schedule is as set forth:

- a. **Fact Discovery.** All written discovery must be responded to, and all fact depositions completed by, September 8, 2023.
- b. **Expert Discovery.**
 - i. Plaintiffs' experts must be designated, and the information contemplated by Fed. R. Civ. P. 26(a)(2), must be disclosed by September 22, 2023.
 - ii. Defendant's experts must be designated, and the information contemplated by Fed. R. Civ. P. 26(a)(2), must be disclosed by October 6, 2023.
 - iii. Plaintiffs' trial experts must be deposed by October 20, 2023.
 - iv. Defendant's trial experts must be deposed by November 10, 2023.

4. **Dispositive Motions.**

- a. Dispositive motions, such as motions for summary judgment or partial summary judgment, and motions for judgment on the pleadings must be filed by December 8, 2023.
- b. Oppositions must be filed by January 5, 2024.
- c. Reply briefs shall be permitted and filed by January 19, 2024.

5. **Settlement Conference.** The Parties shall attend a settlement conference on a date set by the Court.

6. **Pretrial Conference.** The Parties shall attend a pretrial conference on a date to be set by the Court.

7. **Other Matters.**

- a. **Certification of Consultation.** The Parties shall individually file the certifications required by Local Rule 16.1(d)(3).
- b. **Alternative Dispute Resolution.** The Parties have considered the options for alternative dispute resolution programs set forth in Local Rule 16.4. Defendant does not have authority for alternative dispute resolution at this time, but will update the Court at the Pre-Trial hearing. The Plaintiffs believe that the alternative dispute resolution of a 30-day referral of the case to mediation to see if the parties could agree to change the Districting Plan to one of the other 6 choices, such as the Flaherty Map, could resolve the challenge to the current Redistricting Plan.

Respectfully submitted,

PLAINTIFFS,

By their attorneys,

/s/ Paul Gannon

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BOSTON CITY COUNCIL

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January 20, 2023

Certificate of Service

I hereby certify that a true and accurate copy of this document was filed through the Electronic Case Filing system, and will be served upon the attorney of record for each party registered to receive electronic service on this 20th day of January 2023.

/s/ Christina S. Marshall
Christina S. Marshall